

Planning Committee

Development Management Report	
Committee Date: 15 th September 2026	
Application ID: LA04/2026/0890/F	
Proposal: The proposed regeneration of an existing open space. The scheme includes permeable surfaces, Sustainable Drainage Systems (SuDS), surface water management, improved/new paths and associated landscaping works.	Location: The open space directly to the south of 2-20 Distillery Street and 9-11 Blackwater Way.
Applicant Name and Address: Belfast City Council 9 Adelaide 9-21 Adelaide Street Belfast BT2 8DJ	Agent Name and Address: Niamh Quigley Collins Rolston Architects 8th Floor, Causeway Tower 9-11 James Street South Belfast BT2 8DN
Referral Route: The application is made by Belfast City Council and on lands to which the Council has an estate (3.8.5 (a) of the Scheme of Delegation)	
Recommendation	Approval
Date Valid:	3 rd June 2026
Target Date:	16 th October 2026
Contact Officer:	Ciara Reville, Principal Planning Officer (Development Management)
Summary of Issues: The proposal seeks permission for the regeneration of an existing open space located on lands to the south of Distillery Street. The scheme includes permeable surfaces, Sustainable Drainage Systems (SuDS), surface water management, improved/new paths and associated landscaping works. The site is an area of green space of approximately 0.7hectares located to the south of Distillery Street and Blackwater way. The site is bounded to the south by a red brick wall which an interface that separates the site from the Westlink. To the south west of the site is a footpath and footbridge which connects either side of Roden Street. The main issues relevant to consideration of the application are set out below: - Principle of the Proposal - Flood Risk - Climate Change - Impact on Trees	

- **Environmental Protection**

There are no objections from consultees. There are 48 third party objections and 5 letters of support addressed within the report.

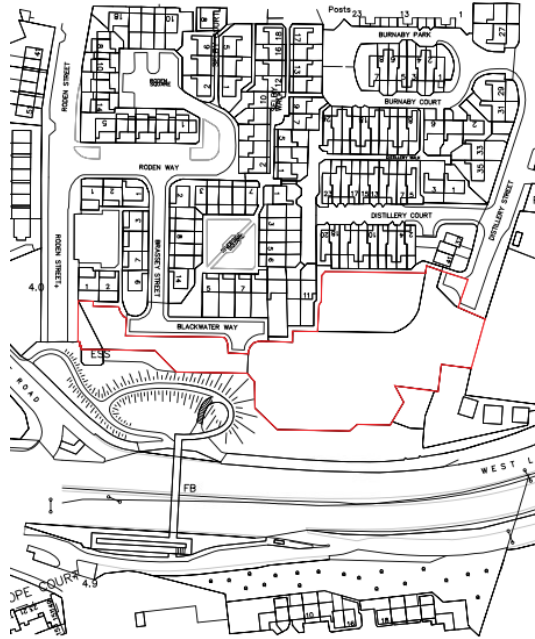
The proposal forms an enhancement of an existing open space and utilises various SuDS measures to mitigate against climate change. A Statement of Community Involvement has been submitted and demonstrates that an adequate level of consultation has taken place. The proposal does not involve the alteration of any existing peace infrastructure.

Recommendation

Having had regard to the development plan, relevant planning policies, and other material considerations, it is considered that the proposal should be approved. Delegated authority to the Director of Planning and Building Control is sought to finalise conditions.

Case Officer Report

Site Location Plan:



Proposed Site Layout:



1.0	Characteristics of the Site and Area
1.1	The site is an area of green space of approximately 0.7hectares located to the south of Distillery Street and Blackwater way. The site is bounded to the south by a red brick wall which separates the site from the Westlink. To the south west of the site is a footpath and footbridge which connects either side of Roden Street.
2.0	PLANNING HISTORY
2.1	There is no relevant planning history.
3.0	PLANNING POLICY
3.1	Development Plan – Belfast Local Development Plan, Plan Strategy 2035 <i>Strategic Policies:</i> • Policy SP2 – Sustainable development • Policy SP3 – Improving health and wellbeing • Policy SP5 – Positive placemaking • Policy SD2 – Settlement areas <i>Operational Policies</i> • Policy CGR1- Community Cohesion and Good Relations • Policy OS1 – Protection of Open Space • Policy ENV1- Environmental Quality • Policy ENV 2- Mitigating Environmental Change • Policy ENV 3-Adapting to Environmental Change • Policy ENV 4- Flood Risk • Policy ENV 5- SuDS • Policy TRE1 – Trees
3.2	Development Plan – zoning, designations and proposals maps Belfast Urban Area Plan (2001) BUAP Draft Belfast Metropolitan Area Plan 2015 (v2004) Draft Belfast Metropolitan Area Plan 2015 (v2014)
3.3	Regional Planning Policy Regional Development Strategy 2035 (RDS) Strategic Planning Policy Statement for Northern Ireland (SPPS)
4.0	CONSULTATIONS AND REPRESENTATIONS
4.1	BCC Tree Officer- No Objections with conditions Environmental Health- No objections with conditions. DFI Rivers- No objections

4.2	<u>Representations</u> The application has been advertised and neighbour notified, 48 objections have been received and 5 letters of support. Issues raised are summarised below: • Proposal only benefits one community and not Roden/Donagall Road side of interface, therefore it is not cross community. <i>Case Officer Response: Due to the location the proposal has been assessed against the requirements of Policy CGR1 within the main report.</i> • Concerns raised in relation to a proposed gate. <i>Case Officer Response: The supporting Statement of Community Involvement states that a gate was originally part of proposals but this was removed following a community consultation.</i> • A number of representations referred to the funding of the project and that planning permission should not be granted to a scheme that fails to meet the legal conditions attached to its funding. <i>Case Officer Response: The funding of the application is not a material planning consideration, the planning department can only to assess the application before it on its merits. Conditions attached to funding is a civil matter.</i> • There has been a lack of consultation. <i>Case Officer Response: The applicant has submitted a Statement of Community Involvement in accordance with Policy CGR1. The planning department have neighbour notified in accordance with the Article 8 of The Planning (General Development Procedure) Order (Northern Ireland) 2015.</i> • Concerns relating to increased unrest and anti-social behaviour. <i>Case Officer Response: There is no evidence the proposal would lead to increase unrest and anti-social behaviour. This would be a matter for the police.</i> • Proposal will look out of place within the surrounding area: <i>Case Officer Response: The proposal enhances an area of existing open space and would not be considered to appear out of place.</i>
5.0	PLANNING ASSESSMENT <u>Main Issues</u> 5.1 The main issues relevant to consideration of the application are set out below: • Principle of the Proposal • Flood Risk • Climate Change • Impact on Trees • Environmental Protection 5.2 <u>Development Plan Context</u> Section 6(4) of the Planning (Northern Ireland) Act 2011 states that in making any determinations under the Act, regard is to be had to the local development plan, and

	the determination must be made in accordance with the plan unless material considerations indicate otherwise.
5.3	Section 45(1) of the Act states that in determining planning applications, the Council must have regard to the local development plan, so far as material to the application, and to any other material considerations.
5.4	The Belfast Local Development Plan (LDP) when fully completed will replace the Belfast Urban Area Plan 2001 as the statutory Development Plan for the city. The Belfast LDP will comprise two parts. Part 1 is the Plan Strategy, which contains strategic and operational policies and was adopted on 02 May 2023. Part 2 is the Local Policies Plan, which will provide the zonings and proposals maps for Belfast and has not yet been published. The zonings and proposals maps in the Belfast Urban Area Plan 2001 remain part of the statutory local development plan until the Local Policies Plan is adopted. <u>Operational Policies</u>
5.5	The Plan Strategy contains a range of operational policies relevant to consideration of the application. These are listed at paragraph 3.1. <u>Proposals Maps</u>
5.6	Until such time as the Local Policies Plan is adopted, the Council must have regard to the land-use zonings, designations and proposals maps in the Belfast Urban Area Plan 2001 (BUAP), both versions of the draft Belfast Metropolitan Area Plan (v2004 and v2014) (dBMAP) and other relevant area plans. The weight to be afforded to these proposals maps is a matter for the decision maker. It is considered that significant weight should be given to the proposals map in dBMAP 2015 (v2014) given its advanced stage in the development process, save for retail policies that relate to Sprucefield which remain contentious. • Belfast Urban Area Plan 2001: The site is located within whiteland. • Belfast Metropolitan Area Plan 2015 (2004): The site is within whiteland. • Belfast Metropolitan Area Plan 2015 (v2014): The site is within whiteland.
5.7	It is considered that the proposal is in compliance with the SPPS in that the proposed development will not cause demonstrable harm to interests of acknowledged importance which are considered below. Principle of Development
5.8	The proposal is within an area of open space. Policy OS1 has a general presumption in favour of retaining all such lands and uses. The proposal enhances the existing

	open space with improved footpaths, a high quality public realm including permeable paving, bench seating, rain gardens and landscaping. There is therefore no conflict with Policy OS1.
5.9	The proposed site is bounded by an interface with a 400m brick wall at a height of 3.2m running along the southern boundary of the site. Policy CGR1 provides 5 criteria for proposals at interface locations.
5.10	In terms of criteria (a) a Statement of Community Involvement has been submitted to demonstrate impacted communities were involved at the outset. Consultation events were held at Grosvenor Community Centre and St Simons Community Hub. The events were advertised on the Council website, leaflet drops were held and elected representatives and community groups were notified. An online consultation survey was held and as a result 205 responses were received online and 135 hard copies.
5.11	Criteria (b) supports initiatives towards the removal of peace infrastructure while (c) seeks to minimise infrastructure and physical barriers to maximise future connectivity. While the policy supports initiatives that result in the removal of peace infrastructure it does not preclude those that do not. The proposal will not result in additional infrastructure or alter existing access arrangements to the open space. Initial proposals included a gate to increase access to the site from both communities, however this was removed following community consultation.
5.12	Criteria (d) and (e) state that shared neighbourhood facilities and services are sited in areas that are safely accessible to all communities and public realm spaces are safe and accessible shared spaces for use by everyone. The proposal complies by improving accessibility with improved paths throughout the space, enhanced public realm and lighting to improve safety. While the accessibility to the area from both communities has not increased, this is due to responses during the consultation process.
5.13	The proposal is considered to comply with Policy CGR1
	Flood Risk
5.14	The proposal is located within the 1 in 100 year climate change fluvial flood plain. Under paragraph 6.107 built development must not be permitted within the flood plains of rivers or sea unless one of three circumstances apply. One of the three exceptions is the development constitutes a valid exception to the general presumption against development in flood plains. The Flooding SPG and SPPS outlines exceptions which includes amenity open space. The proposal is considered amenity open space and is therefore forms an exception. A Flood Risk Assessment has been submitted and DFI Rivers have responded stating they have no reason to disagree with its conclusions.
5.15	DFI Rivers have stated in their consultation response that the site is within a potential area of inundation emanating from the Springfield Reservoir. DFI Rivers have carried out an assessment of the flood risk and the overall rating is considered moderate which is considered to be an acceptable combination of depth and velocity for the general public but unacceptable for bespoke development for children, the elderly and the infirm as these groups can be more vulnerable to risks associated with flood water.

5.16	Due to the proposal being within a flood plain no bespoke childrens' play equipment has been included. Given the proposal is an upgrade of an existing open space it is not considered that there will be an increased flood risk to users over that which exists currently. The proposal is considered acceptable under Policy ENV 4. Climate Change
5.17	Policy ENV 2 states planning permission will be granted for development that incorporates measures to mitigate environmental change and reduce GHG by promoting sustainable patterns of development. ENV 3 states planning permission will be granted for development proposals that incorporates measures to adapt to environmental change, in order to support sustainable and enduring development. ENV 5 states all built development should include, where appropriate, SuDS measures to manage water effectively on site.
5.18	The proposals include SuDS measures such as a dry swale, rainwater gardens and filter drains which will aid in managing rainwater and are measures that will aid in mitigating environmental change.
5.19	DfI Rivers state that commenting on the efficiency of SuDS is outside their expertise but the Council have no reason to disagree with SuDS measures as per the drainage assessment.
5.20	The proposal complies with policies ENV 2, 3 and 5. Impact on Trees
5.21	The proposal retains the existing trees within the site. The BCC Tree Officer welcomed the retention of the trees and the proposed landscaping.
5.22	The proposal complies with Policy TRE 1. Environmental Protection
5.23	Policy ENV 1 states planning permission will be granted for development that will maintain and, where possible, enhance environmental quality, and protects communities from materially harmful development.
5.24	In terms of contaminated land a Preliminary Risk Assessment has been submitted. Environmental Health were consulted and had no objections with conditions. The proposal is therefore considered to comply with Policy ENV 1.
	Neighbour Notification Checked Yes
	Summary of Recommendation

	Having regard to the development plan and other material considerations, the proposal is considered acceptable. It is recommended that planning permission is approved. Delegated authority is sought for the Director of Planning and Building Control to finalise the conditions and deal with any other matters which may arise.
	DRAFT CONDITIONS 1. The development hereby permitted shall be begun before the expiration of 5 years from the date of this permission. Reason: As required by Section 61 of the Planning Act (Northern Ireland) 2011. 2. All hard and soft landscaping works shall be carried out in accordance with the approved details. The works shall be carried out prior to the of any part of the development unless otherwise agreed in writing by the Council. Any existing or proposed trees or plants indicated on the approved plans which, within a period of five years from the date of planting, die, are removed or become seriously damaged, diseased or dying shall be replaced during the next planting season with other trees or plants of a location, species and size, details of which shall have first been submitted to and approved in writing by the Council. All hard surface treatment of open parts of the site shall be permeable or drained to a permeable area. All hard landscape works shall be permanently retained in accordance with the approved details. Reason: In the interests of the character and appearance of the area. DRAFT INFORMATIVES 1. Please make sure that you carry out the development in accordance with the approved plans and any planning conditions listed above. Failure to do so will mean that the proposal is unauthorised and liable for investigation by the Council's Planning Enforcement team. If you would like advice about how to comply with the planning permission, you are advised to contact the Planning Service at Belfast City Council at planning@belfastcity.gov.uk. 2. This planning permission includes condition(s) which require further details to be submitted to and approved by the Council. Please read the condition(s) carefully so that you know when this information needs to be provided and approved. It could take a minimum of 8 weeks for the Council to approve the details, assuming that they are satisfactory, and sometimes longer depending on the complexity of the condition. You should allow for this when planning the timeline of your project. 3. The grant of planning permission does not dispense with the need to obtain licenses, authorisations may have been identified by consultees in their response to the application and can be accessed on the Northern Ireland Planning Portal website. The responses from consultees may also include other

	general advice for the benefit of the applicant or developer. consents or permissions under other legislation or protocols.
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